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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Special meeting to mark forty years of occupation by Israel of the Palestinian Territory, including East Jerusalem

Summary record of the first part* of the 301st meeting
Held at Headquarters, New York, on Thursday, 7 June 2007, at 10.30 a.m.

Chairman: Mr. Badji ..... (Senegal)

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* The summary record of the second part of the meeting, to be reconvened in the afternoon, appears as document A/AC.183/SR.301/Add.1.

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The meeting was called to order at 10.40 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Statement by the Chairman

2. **The Chairman** announced that the meeting was open to the entire United Nations membership.

3. Forty years of Israeli occupation had dramatically changed the Palestinian landscape. The confiscation of Palestinian land, the establishment of an intricate network of Israeli settlements and the construction of the separation wall had made the achievement of a contiguous Palestinian State virtually impossible.

4. The separation wall, which had been declared illegal in an advisory opinion of the International Court of Justice, departed from the Armistice Line of 1949 (Green Line) and cut deep into Palestinian land. It also isolated over 230,000 Palestinian Jerusalemites from the rest of the West Bank. The wall and the planned settlement expansion would place some 45.5 per cent of the Occupied Palestinian Territory, including East Jerusalem, under Israeli control.

5. The Palestinian economy was in a downward spiral and 34 per cent of the population was unemployed. Israeli military operations had destroyed schools, hospitals and infrastructure and Palestinian institutions, including the nascent Government, were severely weakened. The permit system restricted freedom of movement within the Occupied Territory and people in need of medical treatment or women in labour were sometimes forced to wait for hours before being allowed to pass through checkpoints. The checkpoints also prevented farmers from transporting their produce to markets.

6. The poverty rate in the Gaza Strip stood at 70 per cent and over 2 million Palestinians were unable to meet their daily foods without assistance. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the World Food Programme, the United Nations Development Programme, the United Nations Office for the Coordination of Humanitarian Affairs, the World Bank and others were trying to reverse the rapid deterioration of the humanitarian situation, particularly in the Gaza Strip. Some 4.4 million refugees were currently registered with UNRWA and one third of those remained in refugee camps, in deplorable and dangerous conditions.

7. The Committee had reminded Israel that its settlement activities, the annexation of East Jerusalem, any actions to strengthen its hold on the city and the construction of the wall on occupied land were contrary to international law. The Committee called on all Governments to fulfil their obligations under international law, in particular the Fourth Geneva Convention, and to take the necessary steps to ensure that Israel complied with its international obligations. It also called on the Israeli Government to release, immediately and unconditionally, all imprisoned cabinet members and parliamentarians, as well as other Palestinian prisoners.

8. The Committee had consistently stressed that the occupation was the root cause of the Israeli-Palestinian conflict and contributed to instability in the wider region. It reiterated its call for meaningful negotiations to achieve the two-State solution envisioned under the Quartet's Road Map and stressed that the settlement must meet the requirements of international law, the relevant Security Council resolutions and the principle of land for peace. The Committee would continue to pursue its mandate until the question of Palestine was resolved in a satisfactory manner and the Palestinian people were able to exercise their inalienable rights.

Statement by the Rapporteur

9. **Mr. Camilleri** (Malta), Rapporteur, read out a statement on behalf of the Bureau of the Committee. It noted that Security Council resolution 242 (1967) had emphasized the inadmissibility of the acquisition of territory by war and had affirmed the necessity of the withdrawal of Israeli armed forces from territories occupied in the conflict. That resolution, as well as many others adopted since June 1967, had not been implemented. The Bureau reiterated that the occupation of the Palestinian Territory, including East Jerusalem, was the root cause of the Israeli-Palestinian conflict and that a comprehensive, just and lasting peace in the region could not be achieved unless the national rights of the Palestinian people had been realized.

10. For 40 years, the Palestinians had been subjected to daily abuse, collective punishment, excessive force, extrajudicial killings and the destruction of property. Israel continued to alter the Palestinian land by establishing and expanding settlements and by

constructing a separation wall in the West Bank, including around East Jerusalem. The situation had led to an escalating spiral of violence.

11. The Bureau reminded Israel of the need to fulfil its obligations under international law and to adhere to the Geneva Conventions and the advisory opinion of the International Court of Justice regarding the construction of the separation wall. Israel must cease and reverse all illegal actions in the Palestinian Territory occupied since 1967.

12. It was incumbent on the Security Council to ensure speedy and full implementation of its resolutions. The Council should decide on effective steps to protect the civilian population, end hostilities and guide the parties, with the active involvement of the Quartet and regional actors, to a negotiated settlement that would end the occupation and result in an independent, democratic and viable Palestinian State living side by side in peace and security with Israel and its other neighbours. Meanwhile, the Committee would continue to pursue the important mandate entrusted to it by the General Assembly.

Statement by Palestine

13. **Mr. Mansour** (Observer for Palestine), delivering the statement by the President of the Palestinian National Authority, said that 40 years after the occupation by Israel of the Palestinian Territory and other Arab territories, the Palestinian people continued to struggle for their inalienable right to self-determination. They remained a stateless, dispossessed and oppressed people. Denied their inalienable right to return to their homes, they continued to live in refugee camps or under brutal Israeli occupation. The extent of the injustices imposed on the Palestinians had increased in recent years and had trampled further their human dignity and shredded the fabric of their society.

14. Over the years, numerous efforts and countless United Nations resolutions had not brought an end to the suffering of the Palestinian people because of the intransigence of Israel, the occupying Power, and its total disrespect and contempt for international law. Spurred by its insatiable desire for expansion, Israel, from the beginning and with impunity, had committed systematic violations of human rights, war crimes and acts of State terrorism against the Palestinians with the deliberate intent of perpetuating its unlawful occupation of their land. It had relentlessly pursued illegal policies to consolidate its control over the territory it had occupied in 1967 so as to acquire even more land. The inability of the international community to stop the flagrant violation by Israel of international law had, regrettably, only encouraged it to continue to act with impunity in pursuit of its illegitimate goals.

15. Israel, before the eyes of the international community, had carried out a colonization campaign throughout the Occupied Palestinian Territory, including East Jerusalem, and the Occupied Syrian Golan that had been aimed at the de facto annexation of those lands. That unlawful land grab continued today under many guises and pretexts, including the oft-repeated and unsubstantiated pretext of security. Hundreds of thousands of Israeli settlers, many of them armed and fanatical, had been illegally transferred to confiscated Palestinian property, in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and of the first Protocol Additional to the Geneva Conventions of 12 August 1949.

16. Settlement activity in and around Occupied East Jerusalem had been particularly intense. Having physically isolated it from the rest of the Occupied Palestinian Territory through various unlawful measures and schemes, Israel had implemented an ethnic cleansing policy aimed at the Judaization of the city. The International Court of Justice had deemed the construction of an enormous apartheid wall in the Occupied Palestinian Territory, including East Jerusalem, unlawful and demanded that it be dismantled. The wall had separated Palestinian cities, towns and refugee camps and had caused extensive socio-economic and humanitarian devastation.

17. Those illegal practices and measures, which had dramatically altered the demographic composition and character of the Occupied Palestinian Territory, including East Jerusalem, and had destroyed its territorial integrity, gravely undermined the prospects for achieving a two-State solution.

18. Throughout its 40-year occupation, Israel had waged a brutal military campaign against a defenceless civilian population and had killed thousands of men, women and children and injured or disabled hundreds of thousand of others. The occupying Power had engaged in the wanton destruction of Palestinian property, including homes, agricultural land and vital

infrastructure, as well as religious and historical sites. It had not ceased to imprison and torture Palestinian civilians, nor ended its practice of collective punishment against the Palestinian people.

19. Israel had violated all the United Nations resolutions and had undermined through various means or rejected all initiatives aimed at achieving a just and peaceful solution to the conflict. On the other hand, the Palestinian side had repeatedly and clearly affirmed its commitment to the peace process and to the agreements it had signed.

20. There would never be peace, security or prosperity in the Middle East so long as the question of Palestine, which was at the heart of the Arab-Israeli conflict, remained unsolved. The fact that there was no military solution to the problem had been starkly proven by Israel's 40-year occupation. Only a just and peaceful settlement following on the principle of land for peace could end the conflict and bring about a comprehensive two-State solution based on the 1967 borders. Yet such a solution remained impossible so long as the occupation and colonization continued. Thus, it was imperative that Israel completely cease its illegal colonization campaign as well as all its violations of international law. Forty years on, Security Council resolution 242 (1967) remained the basis for peace, but the international community had failed to compel Israel to comply. Appeasement had not worked, nor had demands made without follow-up action.

21. Israel must be held accountable for its actions and assume its responsibilities under international law and United Nations resolutions. The Organization had a permanent responsibility towards Palestine; Member States must continue to exert all efforts to resolve that question through the various United Nations bodies as well as through international law. The Security Council in particular had an important role to play in that regard.

22. Practical measures, including sanctions, must be seriously considered so as to compel Israel to comply with Security Council resolutions 242 (1967) and 338 (1973) as well as other relevant resolutions, abide by its legal obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War and the human rights covenants and respect fully the advisory opinion of the International Court of Justice. It was ironic that financial and political sanctions had been imposed on the Palestinian people following their exercise of democracy while Israel, despite years of systematic violation of international law, had never been subject to sanctions.

23. Israel must also acknowledge the plight of the Palestinian refugees, who now numbered more than 4.5 million, and their right to return to their homes as called for in General Assembly resolution 194 (III) of 1948, which was the basis for a just and agreed solution.

24. The Palestinians, for their part, had undertaken to enforce the ceasefire in the Gaza Strip. Israel must be urged to respect fully that ceasefire as well as to extend it immediately to the West Bank. In addition, the release of prisoners and the lifting of restrictions on movement would promote genuine dialogue and peace negotiations. In that regard, the Palestinian side stood ready to enter into final status negotiations immediately and without conditions. All parties concerned, including the Quartet, should encourage the parties, including the Syrian Arab Republic and Lebanon, to resume the peace process and reach a just, lasting and comprehensive peace.

25. In conclusion, he said the Palestinian people were grateful for the political, moral, financial and humanitarian support received from the international community and the United Nations. That solidarity had been vital to the Palestinian people throughout their decades-long struggle to end Israeli occupation and realize their inalienable human rights. The United Nations was to be particularly commended for the assistance it had extended through UNRWA. He also expressed his people's appreciation for the work that the Committee and other United Nations programmes had done to draw attention to their plight.

26. **The Chairman** said that the Committee extended its respect and solidarity to Mr. Mahmoud Abbas, Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian Authority, and to the Palestinian National Unity Government. The Committee attached great importance to their efforts to end the occupation and achieve an independent State of Palestine as a prerequisite for peace and stability in the Middle East.

Statements by United Nations Members and Observers

27. **Mr. Malmierca Díaz** (Cuba), speaking on behalf of the Non-Aligned Movement, said that the illegal war of aggression that Israel had unleashed against the Palestinian and neighbouring Arab peoples in 1967, in open violation of international law and of the Charter, and the Israeli occupation had prevented the Palestinians from fully exercising their right to establish an independent State with East Jerusalem as its capital.

28. Throughout its 46 years, the Non-Aligned Movement had maintained its solidarity with the Palestinian people and their just cause, based on recognition of their inalienable rights, rejection of the illegal occupation and condemnation of the massive, flagrant and systematic violations of human rights and international humanitarian law by the occupying Power.

29. At the Movement's 2006 Summit in Havana, the Heads of State and Government had adopted a Declaration on Palestine, including East Jerusalem. The Summit had condemned the Israeli practices in the occupied territories and echoed the demand that the Palestinian people should be allowed to exercise their inalienable right to self-determination, the return of refugees and the establishment of a sovereign and independent State. The Declaration expressed the Movement's profound concern at the deterioration of the political, economic, social and humanitarian situation in the occupied Palestinian territory, including East Jerusalem, and condemned the slaughter of Palestinian civilians through the excessive use of force; selective attacks and extrajudicial executions; destruction of property, infrastructure and farmland; and detention and imprisonment of thousands of Palestinians. It also reiterated the Movement's condemnation of Israel's isolation of the Gaza Strip through its unilateral separation plan and construction of the wall, disregarding the 2004 advisory opinion of the International Court of Justice and General Assembly resolution ES-10/15 of 20 July 2004. The Declaration's validity had been confirmed by the occupying Power's recent threat to assassinate the Prime Minister of Palestine. On 20 March 2007, the Coordinating Bureau of the Non-Aligned Movement had issued a statement (A/61/818-S/2007/161) in which it welcomed the creation of the Palestinian National Unity Government as a welcome sign of unity of the Palestinian people.

30. Despite the establishment of the new Government, however, international assistance to the Palestinian people had been blocked for over a year. That blockage was hindering progress towards a solution to the conflict through dialogue and negotiation, which the Israeli Government had rejected. He urged that Government to accept the Arab Peace Initiative and called for the resumption of serious, direct negotiations with a view to a peaceful settlement that would fully serve the legitimate interests and aspirations of the Palestinian people.

31. The Movement would continue to contribute to the attainment of a just, lasting peace in the Middle East based on the relevant United Nations resolutions, the terms of reference of the Madrid Conference, the principle of land for peace, the Arab Peace Initiative and the Quartet's Road Map. It called on the Security Council to enforce its own resolutions and to take the necessary measures to ensure that Israel respected international law by putting an end to the occupation and to its illegal practices in the occupied Territory.

32. Lastly, he reaffirmed Cuba's wish to contribute to the attainment of a just and lasting peace for all nations in the Middle East so that the Palestinian people could exercise their right to self-determination and sovereignty as an independent State with East Jerusalem as its capital, based on the borders prior to 4 June 1967, and on the right of the Palestinian refugees to return home.

33. **Mr. Akram** (Pakistan), speaking on behalf of the Organization of the Islamic Conference Group in New York, said that the Committee was marking an unfortunate occasion; 40 years after the Israeli occupation of the Palestinian territories, including East Jerusalem, peace remained elusive. That signalled a gross failure of the Security Council to fulfil its primary responsibility, under the Charter of the United Nations, to maintain peace and security and the collective failure of Member States to bring a just conclusion to the most serious political dispute of modern times.

34. The fate of Jerusalem was a powerful political issue for millions of people across the world, and particularly the Islamic world. Jerusalem was a holy place and a precious treasure for Islam, Christianity and Judaism, designated by the United Nations as a

corpus separatum. Since the 1967 occupation, the Security Council had adopted 16 resolutions that categorically declared that measures and arrangements aimed at changing the physical character, demographic composition and legal status of the Holy City of Jerusalem were null and void. Those resolutions continued to be flouted, as was evident from the illegal excavation adjacent to the Al-Aqsa Mosque that undermined its foundations and could threaten it with collapse. He urged the Israeli Government to halt all work near the Mosque.

35. Peace in the Middle East could be attained only through Israel's withdrawal from all Arab lands, including the Palestinian territories, East Jerusalem and the Syrian Golan, and only when Israel and Palestine were two States living side by side in peace within secure and recognized borders. Revived tensions in the region had made it more difficult to achieve that solution; thus, the most urgent task was to halt the repression and violence against Palestinians in Gaza and the West Bank. Efforts to secure the release of the captured Israeli soldier were under way, but Israel also had an obligation to release the hundreds of Palestinians, including ministers and parliamentarians, that it held. He called on Israel to halt and reverse its settlements in the West Bank, stop work on the separation wall, release the customs duties and taxes due to the Palestinians and end the economic and humanitarian blockade against them.

36. He also urged the early resumption of the peace talks on the basis of the revived Arab Peace Initiative and the Road Map set out by the Quartet and called on the international community to ensure full implementation of the relevant General Assembly and Security Council resolutions. The Declaration adopted at the thirty-fourth session of the Islamic Conference of Foreign Ministers, held in Islamabad from 15 to 17 May 2007, welcomed the renewal of that Initiative and the efforts of the President of Pakistan and reiterated the participants' firm resolve to continue relentless efforts for a just and peaceful settlement of the Arab-Israeli conflict. An Organization of the Islamic Conference Communiqué issued on the occasion of the fortieth anniversary of the Israeli occupation called for the declaration of the coming 12 months as the year of Al-Quds and Palestine.

37. The members of the Organization of the Islamic Conference wished to express their solidarity with their Palestinian brothers and their strong support for the Palestinians' efforts to exercise their inalienable rights, including the right to self-determination, and to reach a comprehensive, just and lasting solution that would achieve their legitimate aspiration for peace and for a sovereign State of Palestine with Al-Quds Al-Sharif as its capital.

38. **Mr. Sahel** (Observer for Morocco), speaking on behalf of the Arab Group, said that the occupation by Israel of the Palestinian Territory, including East Jerusalem, was particularly painful for Morocco inasmuch as his country, in the person of His Majesty King Mohammed VI, was the Chairman of the Al-Quds Committee of the Organization of the Islamic Conference. The current meeting presented an opportunity for Member States to heighten their awareness of the need to achieve a comprehensive, just and permanent solution to the conflict in the Middle East.

39. Despite countless efforts, no solution had been found to the question of Palestine and the situation in the Occupied Palestinian Territory remained a cause of grave concern. The United Nations and the international community as a whole had rejected, from the beginning, Israel's occupation of the Palestinian Territory and other Arab lands. Yet a great portion of those lands remained occupied today and the Palestinian refugees were still being denied their inalienable right to return to their homes. The Palestinian economy had nearly collapsed owing to the policy of economic strangulation pursued by the occupying Power, a policy that had left many Palestinians living below the poverty level. The economic and social suffering of the Palestinian people was exacerbated by the actions of the Israeli military inside the Occupied Palestinian Territory, including, arbitrary detention, forced dispossession, house demolitions, movement restrictions and closures.

40. Israel had also sought to change the demographic nature and legal status of East Jerusalem through its construction of the separation wall. The Arab Group condemned the dangerous consequences attendant on the construction of that wall and called on Israel to comply fully with its legal obligations pursuant to the advisory opinion issued by the International Court of Justice on 9 July 2004 and to General Assembly resolution ES-10/15 of 2 August 2004. The Group also demanded that Israel immediately end all restrictions on the movement or entry of person and goods into or out of East Jerusalem.

41. Israel, throughout its forty-year occupation, had persisted in confiscating Palestinian land in order to build or expand illegal settlements around East Jerusalem. Moreover, Israeli efforts aimed at expelling the Arab population of East Jerusalem as well as incorporating the city politically and administratively into Israel were a violation of numerous United Nations resolutions, including, General Assembly resolutions 2253 (ES-V) of 4 July 1967 and 2254 (ES-V) of 14 July 1967 and Security Council resolutions 252 (1968), 267 (1969), 271 (1969) and 298 (1971). Only negotiations based on mutual respect and understanding could achieve an agreed solution. The various efforts made in recent years to reach such a solution had failed because of the intransigence of the Israeli occupation forces and their utter contempt for international law. Thus, there was an urgent need to reach a negotiated solution that would end the occupation, allow the Palestinian people to exercise their inalienable rights and permit the establishment of an independent Palestinian State based on the 1967 borders with East Jerusalem as its capital.

42. Israel's continued occupation since 1967 of the Syrian Golan posed a continuing threat to peace and security in the region. Israeli practices in the Occupied Syrian Golan, including the confiscation of land and water sources and the building of settlements, were aimed at changing the legal status of the Occupied Syrian Golan and were a blatant violation of numerous Security Council resolutions. The Group reiterated its support for the right of the Syrian Arab Republic to reclaim all of the Occupied Syrian Golan to the line of 4 June 1967. The Group also expressed its solidarity with the efforts of the people and Government of Lebanon to free Lebanese territory that remained under Israeli occupation.

43. The international community must develop a coordinated and integrated approach that would lead to enduring peace and stability. In that regard, the Arab Peace Initiative that had been re-launched in 2007 represented an historic opportunity to end the Arab-Israeli conflict. The best way to keep the peace process on track was for Israel to honour the commitments it had previously made and to resume immediately negotiations with the Syrian Arab Republic and Lebanon, leading to its withdrawal from all occupied Syrian and Lebanese territory, as well as to reach a just and agreed solution with regard to the Palestinian refugees in accordance with Security Council resolution 194 (III) of 1948.

44. The Arab side, for its part, had shown by its positions and actions that it wanted a peaceful and just solution and called upon the international community and the United Nations in particular to assume its responsibilities and end the protracted tragedy in the Middle East.

45. **Mr. Abdelaziz** (Observer for Egypt) associated himself with the statements made by the previous speakers and with President Mahmoud Abbas's evaluation of the worsening situation in the occupied Palestinian territories as a result of the continued occupation and illegal Israeli practices conducted with impunity.

46. He then read out the text of a message from President Hosni Mubarak, who confirmed Egypt's strong support for the Committee's work. At a time of turmoil in the Middle East, the Committee represented the international community's will to achieve a comprehensive, just solution to the Palestinian question as part of a comprehensive solution to the Arab-Israeli conflict.

47. The final status negotiations must begin as soon as possible, within the framework of the comprehensive peace initiative reaffirmed at the 2007 Summit of the Heads of State and Government of the League of Arab States, with a view to achieving Israel's full withdrawal from the occupied Arab territories in Palestine, the Syrian Arab Republic and Lebanon to the borders of 4 June 1967 and an acceptable solution to the Palestinian refugee problem through the establishment of an independent, viable Palestinian State with East Jerusalem as its capital, living side by side with the State of Israel in peace and tranquillity.

48. Until that objective was achieved, the Committee and the international community should work together to make Israel cease its unlawful acts, particularly its attacks on civilians and its systematic violations of human rights and international humanitarian law and of the other inalienable rights of the Palestinian people. He reiterated Egypt's commitment to a lasting, comprehensive peace in the Middle East based on international legitimacy, and especially on the relevant United Nations resolutions and the principle of land for peace, and its pledge to support the efforts of the United Nations and the Quartet.

49. **Ms. Ratsifandrihamanana** (Observer for the African Union) said that the members of the African Union reiterated their solidarity with their oppressed Palestinian brothers and paid a tribute to all those who had lost their lives in the quest for liberty and equity. Having experienced the horrors of colonization, Africans understood the daily frustration and suffering of those who lived in a land that was blessed by the gods but coveted by men. The 40 years of occupation had been 14,600 days and nights of agony, torture and killings, despite the June 1967 ceasefire that had been the source of such hope and such disappointment.

50. The African Union remained firmly committed to the relevant Security Council resolutions, the Arab Peace Initiative and the Quartet's Road Map and called for their effective implementation. For 40 years, the international community had been powerless to enforce justice and world order while international law and human rights were continually violated in the endless expansion of the Israeli-Palestinian conflict. During that period, the Israeli colonizers had confiscated thousands of Palestinian properties, including East Jerusalem, in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts. The General Assembly, the Security Council, the International Court of Justice and other United Nations bodies had affirmed the illegitimacy of those colonies and called for them to be dismantled.

51. In 2003, at a time when dialogue among civilizations was being discussed and humanity was being threatened by climate change and the HIV/AIDS pandemic, a wall had been built to separate the Israeli and Palestinian peoples. Despite the 9 July 2004 advisory opinion of the International Court of Justice, the wall continued to exist and, with its 500 checkpoints and dense network of barricades, had transformed the Palestinian territory into a virtual open-air prison, leaving its people in desperate social and economic straits and restricting their movement unacceptably.

52. The African Union reiterated its commitment to combating outdated colonial practices and, like its predecessor, the Organization of African Unity, had consistently condemned all forms of repression, aggression and injustice through its resolutions and decisions. Only a comprehensive, peaceful settlement, based on respect for international law and the principle of land for peace, could lead to a sustainable solution.

53. She appealed to the Government of Israel to lift the financial blockade and agree to the legitimate transfer of funds to the Palestinian people; to the Security Council to find practical measures that would make the Government implement the relevant resolutions as soon as possible; and to the international community to work towards the day when two States, Israel and Palestine, would live side by side in harmony. She hoped that the next anniversary of the occupation would usher in the liberation so long awaited by the Palestinian people.

54. **Mr. Uras** (Turkey) said that the grim realities of the Middle East were a stark reminder that the question of Palestine was central to regional and global peace and security. The legitimate aspirations of the Palestinian people must be addressed fully and promptly in order to pave the way for sustainable peace, security, stability and development in the region. Regrettably, the Palestinians' hopes had faded and events on the ground had dimmed the prospects for peace and security in the near future.

55. The international community was duty-bound to advance a just solution to the conflict. The existence of two States living side by side in peace and cooperation, as envisaged in the Quartet Road Map and in the relevant agreements and resolutions, was the best way out of the present impasse. Through bilateral, regional and international mechanisms, the Palestinians and Israel must be helped to change their thinking about and policies towards each other. The Arab Peace Initiative provided a framework for the revitalization of meaningful final status negotiations and merited the international community's support; every effort should be made to implement confidence-building measures and alleviate tension so that negotiations could commence in earnest.

56. The security situation on the ground and the miserable living conditions in Palestine should be improved. As a first step, restrictions on the movement of Palestinians should be eased, the ceasefire in the Gaza Strip should be renewed and extended into the West Bank, Israel should halt its settlement activities and transfer the taxes and customs revenues that it was withholding, and the human rights of Palestinians and Palestinian prisoners should be fully respected. It was also critical to preserve unity among the Palestinian

factions, as stipulated in the Mecca Agreement. The establishment of the National Unity Government in Palestine must be welcomed and that Government, in return, should try to create the necessary conditions for providing its people with the tangible benefits of political reconciliation and should establish a political platform that embraced the Quartet principles. Efforts to obtain the release of the kidnapped Israeli soldier should be intensified and, at the same time, the international community should reiterate its opposition to violence, targeted killings and acts of terror, whatever the source.

57. His Government remained engaged in the peace process and would continue to assist the Palestinian people. Since Turkey enjoyed the confidence of both Palestinians and Israelis, it was uniquely situated to facilitate efforts to achieve a just, final and comprehensive settlement of the Palestinian question.

58. **Mr. Ali** (Malaysia) said that Israel's occupation of the Palestinian Territory, including East Jerusalem, continued to be the main preoccupation of the international community and affected both the Middle East and the world at large. Until it was resolved, it would continue to shape the minds of future generations.

59. The special meeting marked 40 years of paralysis and failure on the part of the international community, particularly the major Powers, to end Israel's occupation. Forty years earlier, Palestinian towns and villages had been assaulted, resulting in staggering loss of life and condemning survivors to live in squalid conditions under the occupation or as refugees in makeshift camps abroad. Forty years later, nothing had changed. Israel continued to disregard international law and conventions and United Nations resolutions, ignoring international calls for the atrocities to stop, using violence against Palestinian civilians, destroying civilian infrastructure, strangling Palestinians' livelihoods, imprisoning Palestinians, including their elected officials, constructing the illegal separation wall and encouraging illegal settlements.

60. If a just and comprehensive solution had not yet been found it was not for want of initiatives, but because of a lack of political will to push the occupying Power to return to the peace process and abide by United Nations resolutions. The sense that the peace process had not been handled in a balanced way and that Israel had been allowed to ignore United Nations resolutions suggested that the international community was not seriously committed to resolving the conflict.

61. The Quartet process, including the Arab League Initiative, provided a realistic opportunity for a solution. Israel must implement the Quartet Performance-based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict, as outlined in Security Council resolution 1515 (2003). Israel and its allies must understand that lasting peace would not be achieved unless the Palestinian question was resolved through dialogue. The economic, social and humanitarian conditions affecting Palestinians also needed to be addressed. Israel must release the funds owed to the Palestinian authorities, cease military attacks and other human rights violations, and release all Palestinians who were unlawfully imprisoned or arbitrarily detained. The international community, meanwhile, must ensure that Israel honoured its obligations under international law, in particular the Fourth Geneva Convention. The United Nations, including the Security Council, must compel Israel to end its occupation and illegitimate practices in the Occupied Palestinian Territories. Israel must complete its withdrawal from Gaza and the West Bank to its pre-1967 borders.

62. Until Israel's occupation of the Palestinian Territory, including East Jerusalem, was resolved, it would remain a stumbling block for peace and stability in the Middle East and a catalyst for conflict, strife and terrorism in the region and the world at large. The Palestinian people's inalienable rights must be implemented. Palestinian statehood remained the apex of Palestinian aspirations. The international community had an obligation to ensure that those aspirations were fulfilled.

63. **Mr. Kumalo** (South Africa) said that, for over 60 years, the Palestinian people had led an intolerable life. For the past 40 years, they had endured illegal occupation by Israel and suffered every imaginable violation, including the withholding of tax revenues, the expansion of Israeli settlements, the building of the separation wall and restrictions of movement and access. Despite such challenges, the Palestinian people's inalienable right to self-determination and statehood represented the hopes and dreams of millions of Palestinians living in the West Bank and the Gaza Strip. Over 2.5 million Palestinians were currently confined to enclaves separated by Israeli roads,

settlements, military zones and the separation wall. In other words, the Israeli occupation excluded 40 per cent of Palestinians from their territory. Even Palestinian cities such as Nablus, Jericho and Ramallah had been reduced to isolated spots reachable only via innumerable roadblocks and checkpoints.

64. South Africa had recently hosted the United Nations African Meeting on the Question of Palestine, held under the auspices of the Committee on 9 and 10 May 2007. The final document of that meeting had concluded that the systematic human rights abuses and discriminatory practices committed against the Palestinian people by Israeli occupying forces constituted war crimes in terms of the Fourth Geneva Convention and the Protocol I Additional to the Geneva Conventions. The participants had been highly critical of Israel's routinely disproportionate and indiscriminate military operations in Palestinian population centres and had reminded Israel of its responsibilities and accountability under international law. They had also called on all Governments, intergovernmental organizations and others to meet their legal obligations faced with Israel's non-compliance and take appropriate actions.

65. The United Nations, in particular the Security Council, bore special responsibility for finding a solution to the Israeli-Palestinian issue. The current year also marked 40 years of defiance by Israel of Security Council resolution 242 (1967), which called for the withdrawal of Israeli armed forces from territories occupied in the 1967 conflict. It was time for the United Nations to acknowledge that Israel continued to reject, with impunity, all resolutions passed by both the General Assembly and the Security Council. That situation must not be allowed to continue for another 40 years.

66. Recently, responsibility for resolving the Israeli-Palestinian conflict had shifted to the Quartet. However, the Quartet was not a representative body, despite the participation of the Secretary-General. The fact that it excluded some countries in the region that could contribute effectively to a lasting solution had robbed it of the potential to make significant progress and achieve the goal of a two-State solution and lasting peace.

67. Perhaps it was time for the international community to consider other alternatives. For that reason, he welcomed the decision by the Arab League Summit in Riyadh earlier that year to re-launch the Arab Peace Initiative, which offered Israel full normalization of relations in exchange for, inter alia, full withdrawal from the territories occupied in 1967 and a negotiated solution to the Palestinian refugee problem. The Israeli authorities must be persuaded to respond constructively and creatively to that initiative. An historic moment for peace might be at hand. The Israeli Government might wish to seriously consider it in the interests of all people in the Middle East and regional and international peace and stability.

68. Lastly, his delegation reiterated its unwavering support for the Palestinian people in their struggle for the establishment of an independent State of Palestine, with East Jerusalem as its capital, living side-by-side with Israel with both States enjoying secure and internationally recognized borders. The vision of a two-State solution enshrined in Security Council resolution 1397 (2002) and the principle of land for peace must underpin any permanent settlement of the Middle East conflict.

69. **Mr. Sardenberg** (Brazil) said that his Government followed the Israeli-Palestinian peace process with interest and supported regional and international initiatives aimed at renewing dialogue and negotiations, in accordance with the relevant General Assembly and Security Council resolutions and the principle of land for peace. The establishment of an independent, sovereign, geographically cohesive and economically viable Palestinian State, living in peaceful coexistence with Israel within internationally recognized borders, was a sine qua non for ensuring peace and stability in the region. Brazil condemned unilateral initiatives and acts of disproportionate reprisal and repudiated terrorism, which was unacceptable and unjustifiable in all cases.

70. The dynamics created by the formation of the new Palestinian Government, the re-launching of the Arab Peace Initiative and the revitalization of dialogue — in particular, the recent Quartet meeting and the tripartite talks between Israel, the Palestinian National Authority and the United States — might pave the way for re-igniting the peace process. Expressing concern at the recent conflict among Palestinian groups and the launching of rockets from the Gaza Strip, he called on all parties to avoid disproportionate military responses and build suitable conditions for a cessation of the conflicts. In that respect, the dismantling of the security wall, a freeze in Israeli settlement

construction, a reduction in obstacles to movement in the West Bank and the release of members of the Palestinian Government and legislature who had been detained would reduce tensions. He also appealed for the release of the Israeli soldier and British journalist as additional confidence-building measures.

71. In recent years, Brazil had sought to strengthen its ties with countries in the Middle East and expressed its willingness to contribute actively to finding a solution to the Palestinian question. In terms of specific initiatives, it had established an office of representation to the Palestinian National Authority, appointed an Extraordinary Ambassador to deal with Middle East issues and organized a summit of South American and Arab countries. It had also advanced the idea of creating a group of friends of the Quartet and of convening an international conference on Middle East conflicts.

72. His Government followed with concern the dreadful humanitarian situation in the Occupied Palestinian Territories, particularly Gaza, which had been only partially mitigated by the indirect assistance provided by international donors. The resumption of the transfer of tax revenues withheld by Israel, now amounting to approximately $1 billion, was crucial in order to help the Palestinian National Authority meet the needs of the Palestinian people.

73. Brazil had also renewed relations with the Palestinian National Authority with a view to establishing or improving technical cooperation and bilateral assistance to both Government and society. Initiatives in such areas as education, agriculture, combating hunger and poverty, training of diplomats and college student exchanges were currently under consideration.

74. Lastly, his Government stressed once again the need to put in motion a political process with timetables for developing a strategy that addressed the underlying causes of the conflict and brought to fruition the vision of two democratic States living side-by-side in peace and security. His Government also reiterated its willingness to contribute to any initiatives that might lead to a peaceful and durable solution to the conflict.

75. **Mr. Heller** (Mexico) said that the solution to the conflict in the Middle East was inextricably linked to the solution of the Palestinian question. Forty years earlier, the conflict had acquired new dimensions as a result of armed conflict and the consequences thereof for the Palestinian people. Mexico was convinced that a lasting solution to the question of the Occupied Palestinian Territories, including East Jerusalem, would be achieved only through political dialogue and negotiation and only if it recognized the right to exist of a State of Israel and a politically and economically viable State of Palestine, living side-by-side within secure and internationally recognized borders, in accordance with the relevant Security Council resolutions.

76. According to the fundamental principles of international law, the acquisition of land by force was unacceptable and did not create rights. While the negotiating formula known as "land for peace" was a way of establishing secure and internationally recognized borders, it did not have any legal status and applied exclusively to the conflict in the Middle East. The advisory opinion of 2004 of the International Court of Justice on the construction of a wall in the Occupied Palestinian Territory contained legal opinions that would promote a lasting solution to the Israeli-Palestinian conflict based on international law.

77. Terrorism was, and always would be, politically and morally condemnable; no cause justified such action. For dialogue and negotiation to succeed, such practices must be renounced. Likewise, actions that were contrary to international law, even when efforts were made to justify them on security grounds, only exacerbated tensions, caused more violence and blocked genuine dialogue. Mexico opposed any use of force that went beyond legitimate self-defence and a proportional response. It advocated full respect for international humanitarian law, in particular the Fourth Geneva Convention.

78. His Government strongly supported the work of the Quartet. The Road Map paved the way for the parties to renew diplomatic relations and return to the peace process. His Government also appreciated the efforts of various Arab States to encourage a resumption of dialogue and take the peace process forward. The fortieth anniversary of Israel's occupation of the Palestinian Territory, including East Jerusalem, was an opportunity for the international community to reiterate its support for the Palestinian cause and Palestinian self-determination and its conviction that dialogue and negotiation were the only ways of achieving peace and stability in the region.

Statements by representatives of civil society organizations

79. **Ms. Terlingen** (Amnesty International) said that, to mark the fortieth anniversary of Israel's occupation of the West Bank and Gaza Strip, Amnesty International had published a report calling on Israel to end the unlawful settlements, blockades and other violations of international law. The report detailed how the occupation had resulted in persistent and widespread human rights abuses and failed to bring security to Israelis and Palestinians.

80. Amnesty International acknowledged Israel's legitimate security concerns and the Government's obligation to protect the population within its borders. However, that did not justify blatant violations of international law, including human rights and humanitarian law. Only two days before, the United Nations High Commissioner for Human Rights had said that, in the long-standing search for a solution, human rights had far too long taken a back seat and that the conflict must be addressed within the framework of international human rights and humanitarian law. Achieving respect for human rights in the Occupied Palestinian Territory would build greater confidence among the parties and facilitate the search for a lasting solution. For 40 years, the international community had failed to address the Israeli-Palestinian problem adequately; it must not wait another 40 years to do so.

81. Amnesty International's report entitled "Enduring occupation: Palestinians under siege in the West Bank" described the devastating impact of four decades of Israeli occupation and documented the relentless expansion of unlawful settlements and a wide range of measures that confined Palestinians to enclaves and hindered their access to work, health and education facilities. Those measures included a 700-kilometre wall, which the International Court of Justice had found to violate international law, requiring full reparation to all Palestinians affected. That had not happened. If the intention had simply been to prevent Palestinian suicide bombers from entering Israel, the barrier would have been located on the Green Line. Yet 80 per cent of the wall was being built on Palestinian land, in defiance of the International Court of Justice, cutting off Palestinians from their families and land and making the main Israeli settlements in the West Bank territorially contiguous with Israel. The more than 500 checkpoints and blockades and complicated permit system were not simply an inconvenience, but a matter of life or death. It was unacceptable that women in labour, sick children and accident victims en route to hospital were forced to take long detours and face delays which could, and had, cost them their lives.

82. Israeli settlements in the Occupied Palestinian Territory were illegal under international law, in particular article 49 of the Fourth Geneva Convention, which stated that the Occupying Power should not deport or transfer parts of its own civilian population into the territory it occupied. The Security Council was obligated to ensure implementation of its resolutions, including resolution 465 (1980), which called on Israel to dismantle existing settlements and cease the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem.

83. International action was urgently needed to address the widespread human rights abuses that were being committed and which were fuelling resentment and despair among a predominantly young and increasingly radicalized Palestinian population. Israeli restrictions had caused the virtual collapse of the Palestinian economy and levels of despair, poverty and food insecurity never before seen in the Occupied Palestinian Territories. In the Gaza Strip, in late May, some 50 Palestinians had been killed by Israeli air strikes, while on the other side two Israeli civilians had been killed by indiscriminate rocket attacks by Palestinian armed groups. Such actions violated international law. Amnesty International had called on both sides to end the attacks immediately and on the Palestinian Authority to prevent further rocket attacks.

84. Amnesty International's report on the West Bank contained detailed recommendations for the attention of the Israeli Government — in particular, to stop construction and expansion of Israeli settlements and to stop construction of the wall — as well as of Palestinian armed groups, the Palestinian Authority and the international community. For the latter, a key recommendation was the urgent deployment, particularly in the West Bank, of an effective international human rights monitoring mechanism to monitor both parties' compliance with their obligations under international law. Such a mechanism must be accompanied by a commitment to investigate and prosecute, through the exercise of universal jurisdiction, those who committed war crimes or other crimes under international law.

85. Amnesty International did not underestimate the difficulties of establishing such a system, whether by the United Nations or another appropriate body. However, it was vital for the international community, including all States Members of the United Nations and the Security Council, to become more engaged in finding a solution and holding the parties to their obligations under international law. Amnesty International had therefore written to all Security Council members just that week, in order to urge the Council to use the monthly discussion on the Middle East to take concrete steps to implement its resolutions, including resolution 465 (1980); to ensure that an effective international human rights monitoring mechanism was established; and, lastly, to ensure that any peace process included concrete provisions to address fundamental human rights at the heart of the conflict, including the removal of Israeli settlements from the Occupied Palestinian Territory, the dismantling of the wall inside the West Bank, an end to closures, an end to impunity for serious violations of international law and a fair solution to the refugee question.

The meeting was suspended at 1.10 p.m.